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E-QUANTIC COMMUNICATIONS  
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FR-03190 GIVARLAIS  
FRANCE

December 30th, 2006

To: Commissioner for Patents

**Subject:** Letter under USC title 35 §184 seeking the obtaining of licenses to file in a foreign country *"retroactively where an application has been filed abroad through error and without deceptive intent and the application does not disclose an invention within the scope of section 181 of this title."*

Priority documents and international filing associated with US national phase application #10599868.

Sir,

Pr Robert DESBRANDES and Pr Daniel Lee VAN GENT filed, as co-inventors, in France during the year 2004 and 2005 at the French Patent Office INPI the patent application:

- FR0403904 filed on April 13<sup>th</sup>, 2004: « *Procédé et appareillage pour communiquer à distance en utilisant des nucléides isomères* » (« Remote communication method and device using nuclear isomer »)

The corresponding international application was filed at the European Patent Office:

- PCT/EP2005/051405 filed on March 28th, 2005: « *Procédé et appareillage pour communiquer à distance en utilisant des nucléides isomères* » (« Remote communication method and device using nuclear isomer »)

Sequence of events leading to the filing in France:

Pr. Robert DESBRANDES, retiree from LSU, Louisiana, is a French citizen, and **was resident of France at the time of fillings**. Pr. Robert DESBRANDES at the time of filing had been discussing various parts of the technologies and techniques leading to the invention with Pr. Daniel Lee VAN GENT, professor at LSU, Louisiana, citizen and resident of the United States of America. The invention had been discussed with LSU, which did not show interest in them. The two patents filing have been written by Pr. Robert DESBRANDES in French language without the assistance of a patent agent. Pr. Robert DESBRANDES, who was 80 years old at the time, filed the patents and sought the agreement from Pr. Daniel Lee VAN GENT for being the representative of the co-inventors before the INPI. Patent filing FR0403904 has been examined for secrecy by the French Defense agency and was released on May 5th, 2004. The international application was filed by E-QUANTIC COMMUNICATIONS, a French company (which was created on July 27<sup>th</sup>, 2004 in order to process and maintain the patent applications). Pr. Robert DESBRANDES and Pr. Daniel Lee VAN GENT are co-inventors. Patent application PCT/EP2005/051405 filed on March 28th, 2005 is the international filing covering substantially the invention as described in the French patent application.


The patent application was filed directly through the EPO (European Patent Office). This PCT filing was filed by the co-inventors for the US and by E-QUANTIC Communications for the other countries.

Neither Pr Robert DESBRANDES, nor Pr Daniel Lee VAN GENT, nor E-QUANTIC COMMUNICATIONS (represented by its manager Mrs Marie-Joseph DESBRANDES) knew about requirements from the USC 35 title §184 to obtain a license in order for Pr Daniel Lee VAN GENT to be a co-author of a patent filed abroad.

Hence we respectfully ask the Commissioner for patent to retroactively grant us licenses to file abroad for the following patents:

- FR0403904 filed on April 13<sup>th</sup>, 2004 at INPI (FRANCE), which is the priority document in French, of which the translation in English is also provided in the file wrapper of the US application.
- PCT/EP2005/051405 filed on March 28th, 2005 at the European Patent Office (The Netherlands), which is the international filing in French, of which the translation in English is also provided in the file wrapper


With our apology, sincerely



Pr. Robert DESBRANDES



Pr. Daniel Lee VAN GENT



E-QUANTIC COMMUNICATIONS  
Limited responsibility company with variable capital  
Represented by Mrs Marie Joseph DESBRANDES

Notes:

- E-QUANTIC COMMUNICATIONS is a French Company specifically created to develop the technologies of the above patents and whose associates are Pr Robert DESBRANDES, his family and Dr Daniel Lee VAN GENT. Mrs Marie-Joseph DESBRANDES is the manager of the company.
- Pr Robert DESBRANDES address is 1, allée des Chériniers 03190 GIVARLAIS FRANCE.
- Pr Daniel Lee VAN GENT address is 10927 Del Cano Avenue BATON ROUGE, La 70816, USA